

Chapter 224 NC Neighborhood Conservation Overlay District

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224.02 Neighborhood Conservation Overlay District Established

The NC Neighborhood Conservation Overlay District is established to allow property owners to initiate and implement programs for the revitalization or conservation of older areas or districts possessing distinctive features, identity, or character worthy of retention and enhancement. The NC District takes effect through adoption of a Conservation Plan and a set of provisions that will facilitate maintenance and upgrading of the neighborhood and development of vacant or underused lots, while reducing or eliminating incompatible mixes of uses.

224.04 Area Requirements

Each NC Overlay District shall include a minimum contiguous area of two acres, including intervening streets and alleys, and shall contain at least three separate parcels.

224.06 Status of NC Overlay District and Approved Plan

Adoption of an NC Overlay District proposal shall be by amendment to the zoning map, in accord with the provisions of Chapter 247, but the map amendment shall not alter the use provisions or development standards of the underlying district. A Neighborhood Conservation Plan shall be approved by the City Council at the same time as the map amendment is adopted; this plan shall establish standards and conditions for development consistent with the purposes of the plan.

Adoption of an NC Overlay District within the coastal zone shall not become effective unless a Local Coastal Program amendment has been approved and effectively certified by the Coastal Commission.

(3334)

All development shall be in accordance with the Conservation Plan, which may be amended as provided in the conditions of approval. The Planning Commission may recommend and the City Council may approve amendments to the Conservation Plan to allow development in accordance with the underlying zoning provisions rather than as specified by the Conservation Plan.

224.08 Allowable Modifications to Land Use Controls and Development Standards

After a duly noticed public hearing, the following changes in land use controls and development standards may be approved as part of a Neighborhood Conservation Plan:

- A. Provisions for specific use classifications may be modified by the Neighborhood Conservation Plan to accommodate unique or mixed uses serving the neighborhood, consistent with the General Plan and within the coastal zone consistent with the Local Coastal Program. (3334)
- B. Development standards may be modified by the Neighborhood Conservation Plan, consistent with the General Plan and within the coastal zone consistent with the Local Coastal Program. (3334)

224.10 Application for Designation

- A. Owners of 51 percent or more of the land in an area meeting the area requirements of Section 224.04 and one or more of the criteria of Section 224.12(C) may file an application with the City for the designation of the area as an NC Neighborhood Conservation Overlay District. The application may include lots within one or more base zoning districts. The City Council or Planning Commission may initiate a Neighborhood Conservation Overlay District as prescribed in Chapter 247.
- B. The application includes the following:
 - 1. A statement of purpose and explanation of how criteria of Section 224.12(C) are met.
 - 2. A map indicating the boundaries of all lots in the proposed NC Neighborhood Conservation Overlay District and the base district(s) contained within the proposed NC District.
 - 3. A Neighborhood Conservation plan consisting of a map and such other textual and graphic material as may be necessary, indication land uses, building types and designs, site development requirements, signing, circulation, off-street parking, and modifications in base district.

224.12 Adoption Procedures

- A. The Planning Commission shall hold a duly noticed public hearing on the application in accord with the provisions of Chapter 247. Following the

hearing, the Commission may recommend approval or conditional approval of the Neighborhood Conservation Plan if it implements the purposes for which designation of the NC District is proposed and is consistent with the General Plan, and shall transmit the application and the plan with its recommendation to the Council.

- B. The City Council shall hold a hearing as provided by Chapter 247 on any application and plan transmitted to it by the Planning Commission.
- C. Following the hearing, the City Council may approve or conditionally approve a Neighborhood Conservation Plan and adopt an NC Neighborhood Conservation Overlay District for the area described in the application subject to one or more of the following criteria:
 - 1. Distinctive building features, such as period of construction, style, size, scale, rhythm, mass, color, and material;
 - 2. Distinctive features or articles associated with the streetscape, such as light fixtures and devices, signs, benches, curb markers, kiosks, and bollards;
 - 3. Distinctive site planning and natural features, such as lot platting, street layout, setbacks, alleyways, sidewalks, creekbeds, parks, and gardens;
 - 4. Distinctive land uses or land-use patterns, such as mixed or unique uses or activities, not permitted by the base district without modification.
- D. The City Council shall adopt each Neighborhood Conservation Overlay District by ordinance pursuant to Chapter 247. The adopting ordinance shall include a reference to the approved Neighborhood Conservation Plan for the district, a statement of purposes, and a list of the modifications to the base district standards. Adoption of a Neighborhood Conservation Overlay District shall not become effective until a Local Coastal Program amendment has been approved and effectively certified by the Coastal Commission. (3334)

224.14 Zoning Map Designator

Each NC Neighborhood Conservation Overlay District shall be shown on the zoning map by a "-NC" designator applied to the base district designations, numbered and identified sequentially by order of enactment and referenced to the enacting ordinance.

224.16 Building Permits to Conform to Adopted Plan and Other Applicable Requirements

Applications for building permits for projects located in an NC Neighborhood Conservation Overlay District shall be accepted only if project plans are consistent with the adopted NC District ordinance and the approved Neighborhood Conservation Plan and all other applicable requirements of the Municipal Code and in the coastal zone, with the Local Coastal Program. (3334)